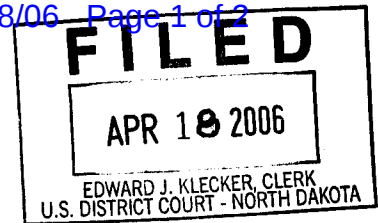


PS 8
(12/2004)



**United States District Court
For The
District of North Dakota**

Petition for Action on Conditions of Presentence Release

United States of America

)

)

vs.

)

Docket No.: C4-05-103-02

)

Rusty Mason

)

COMES NOW, Tim Howard, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant, Rusty Mason, who was placed under presentence release supervision by the Honorable Daniel L. Hovland Chief Judge, sitting in the Court at Minot, North Dakota, on February 27, 2006, under the following conditions:

1. The defendant shall not commit any offense in violation of federal, state, tribal, or local law while on release in this case.
2. The defendant shall keep his attorney and the Clerk of U.S. District Court, P.O. Box 1193, Bismarck, ND 58502, advised of any change in his address or telephone number prior to any change. The Clerk's telephone number is (701) 530-2300.
3. The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear as notified.
4. The defendant promises to appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear as notified.
5. The defendant's release is subject to the following additional conditions:
 - a. Defendant shall report to the Pretrial Services Office at such times and in such manner as designated by that Office.
 - b. Defendant shall refrain from any use of alcohol, and any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 unless prescribed by a licensed practitioner, and submit to drug screening to verify compliance.
 - c. Defendant shall undergo a substance abuse evaluation if required by the Pretrial Services Officer and comply with resulting treatment recommendations.
 - d. The Pretrial Services Office, while providing pretrial services to the defendant, is authorized pursuant to 18 U.S.C. § 3154 (4) and (11), to contract for services required as a condition of defendant's bond which may include cost of the defendant's chemical evaluation and in/outpatient substance abuse treatment.
 - e. Defendant shall abide by curfew restrictions as directed by the supervising Pretrial Services Officer.

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- f. Defendant shall not knowingly or intentionally have any direct or indirect contact with the alleged victim in this matter, a juvenile, except that counsel for the defendant, or counsel's agent or authorized representative, shall have such contact with alleged victim as is necessary in the furtherance of defendant's legal defense.


RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

1. On April 13, 2006, the defendant was arrested, and charged in Fort Berthold Tribal Court, New Town, North Dakota with Fleeing in a Motor Vehicle (driver), Fleeing on Foot (non-driver), and Underage Consumption of Alcohol in violation of standard condition number 1, and additional condition of release number 4 (b).
2. On April 13, 2006, the defendant admitted to the arresting officer that he had been drinking alcohol, and that he had consumed about six cans of beer in violation of additional condition of release number 4 (b).

PRAYING THAT THE COURT WILL ORDER: An arrest warrant so that the defendant can be apprehended and brought before the Court to answer for these alleged violations of his release.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully,




Tim Howard
U.S. Pretrial Services Officer

4-17-06

DATE

ORDER OF THE COURT

Consider and ordered this 17th day of April, 20 06, and ordered filed and made a part of the records in the above case.



Daniel L. Hovland, Chief Judge
United States District Court